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EXAMINER

MERCHANT, SHAHID R

ART UNIT	PAPER NUMBER
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3694

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/727,417

Applicant(s)

BRESSARD, JEAN-LUC

Examiner

Shahid R. Merchant

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/29/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. New corrected drawing in compliance with 37 CFR 1.121(d) are required in this application. Figures 3 and 6-10 contains improper shading, which may affect clarity once reproduced. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Objections

2. Claim 20 objected to because of the following informalities: a reference is made to "storage medium of Claim 18..." However, claim 18 is a system claim. For examining purposes, Examiner will treat this as a typing error and assume Applicant meant "storage medium of Claim 19..." Appropriate correction is required.
3. Claims 1, 3, 11, 13 and 19 objected to because of the following informalities: the word selectably does not appear in any dictionary. Applicant needs to clearly define this word in the specification. One skilled in arts would not know how to "selectably present..." Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 11-20 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 11-18, recite a system in the preamble, however do not contain any apparatus or hardware indicative of a system.
7. Claims 19 and 20 recite a "storage medium comprising a communications channeling system..." It is unclear how a storage medium can comprise a system.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claims 11-20 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 11-18, recite a system in the preamble, however do not contain any apparatus or hardware indicative of a system. Claims 19 and 20 recite a storage medium, which by it self is non-statutory. MPEP § 2106.02 states Nonfunctional descriptive material that does not constitute a statutory process, machine, manufacture, or composition of matter and should be rejected under 35 U.S.C. 101. Certain types of descriptive material, such as music, literature, art,

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photographs, and mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter. Applicant does not recite a computer readable-medium being capable of execution on a computer processor.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-3, 8, 9 and 10 rejected under 35 U.S.C. 102(e) as being anticipated by Vidali, U.S. Patent Application Publication 2004/0143450 (see PTO-892, Ref. A).

12. As per claim 1, Vidali teaches a communications channeling method for channeling communications relating to the electronic conveyancing of property, comprising said steps of: selectably presenting to a consumer a plurality of on-line consumer layer property conveyancing software applications using a messaging hub web browser associated with a gateway, said web browser allowing tailored access to said plurality of on-line consumer layer property conveyancing software applications; adaptably channeling a plurality of on-line service provider layer property conveyancing software applications from associated software service providers to said gateway

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according to selections relating to said intended use of said on-line consumer layer property conveyancing software applications; interfacing said plurality of on-line service provider layer property conveyancing software applications with a plurality of back-end management software applications serving back-office service providers, said back-office management software applications for augmenting back-office operations relating to said plurality of on-line service provider layer property conveyancing software applications (see abstract, paragraphs 11, 13, 50-51 and Figure 1B).

13. As per claim 2, Vidali teaches the method of claim 1 as described above. Vidali further teaches wherein said plurality of on-line consumer layer property conveyancing software applications comprises an on-line loan processing software application for processing loan applications, and further comprising the step of linking a plurality of lenders amongst one another for electronically modifying later-generated loan documentation from a first lender with information associated with earlier-generated loan documentation (see paragraphs 94-97 and Figures 1B and 15).

14. As per claim 3, Vidali teaches the method of claim 1 as described above. Vidali further teaches comprising the step of selectably controlling the degree of adaptation and interface complexity associated with said on-line service provider layer property conveyancing software applications for directing validated employee information into a plurality of back-office management software applications (see paragraph 52).

15. As per claim 8, Vidali teaches the method of claim 1 as described above. Vidali further teaches wherein said plurality of on-line service provider property conveyancing software applications comprises an on-line real estate data communications software

application for recording and communicating real estate purchaser and property information, and further comprising the step of linking a plurality of real estate agents, a plurality of lenders, and a plurality of conveyancing solicitors amongst one another (see paragraphs 128-130).

16. As per claim 9, Vidali teaches the method of claim 1 as described above. Vidali further teaches wherein said plurality of on-line service provider property conveyancing software applications comprises an on-line financial advisory data communications software application for recording and communicating financial advisory information, and further comprising the step of linking a plurality of financial advisors, a plurality of real estate agents, a plurality of lenders, and a plurality of conveyancing solicitor amongst one another (see paragraphs 128-130).

17. As per claim 10, Vidali teaches the method of claim 1 as described above. Vidali further teaches comprising the step of interfacing said on-line service provider property conveyancing software applications with a plurality of back-end management software applications associated with a plurality of back-office service providers for providing news and related information to users of said on-line consumer layer property conveyancing software applications (see paragraph 130).

18. Claims 11 and 19 recite similar limitations to claim 1 and thus rejected using the same art and rationale in the rejection of claim 1 as set forth above.

19. Claims 12 and 20 recite similar limitations to claim 2 and thus rejected using the same art and rationale in the rejection of claim 2 as set forth above.

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20. Claim 13 recites similar limitations to claim 3 and thus rejected using the same art and rationale in the rejection of claim 3 as set forth above.

21. Claim 18 recites similar limitations to claim 8 and thus rejected using the same art and rationale in the rejection of claim 8 as set forth above.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 4-7 and 14-17 rejected under 35 U.S.C. 103(a) as being unpatentable over Vidal, U.S. Patent Application Publication 2004/0143450 (see PTO-892, Ref. A) in view of Dreyer et al, U.S. Patent Application Publication 2004/0064402 (see PTO-892, Ref. B).

24. As per claim 4, Vidal teaches the method of claim 1 as described above. Vidal does not explicitly teach comprising the step of interfacing said on-line service provider layer property conveyancing software applications with a plurality of back-end management software applications associated with a plurality of back-office service providers for alerting said back-office service providers to manually intervene with a property conveyancing transaction.

Dreyer teaches comprising the step of interfacing said on-line service provider layer property conveyancing software applications with a plurality of back-end

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management software applications associated with a plurality of back-office service providers for alerting said back-office service providers to manually intervene with a property conveyancing transaction (see paragraph 117).

Therefore, it would be prima facie obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of Vidali and Dreyer to alert back-office service providers to intervene with a property transaction because it allows for manual correction of errors on closing documents as taught by Dreyer (see paragraph 117).

25. As per claim 5, Vidali teaches the method of claim 1 as described above. Vidali does not explicitly teach comprising the step of interfacing said on-line service provider layer property conveyancing software applications with a plurality of back-end management software applications associated with a plurality of back-office service providers for alerting said back-office service providers to manually intervene with a property conveyancing transaction according to a predetermined set of risk and securitization policies.

Dreyer teaches comprising the step of interfacing said on-line service provider layer property conveyancing software applications with a plurality of back-end management software applications associated with a plurality of back-office service providers for alerting said back-office service providers to manually intervene with a property conveyancing transaction according to a predetermined set of risk and securitization policies.

Therefore, it would be prima facie obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of Vidali and Dreyer to manually intervene with a property conveyancing transaction according to a predetermined set of risk and securitization policies because it allows for manual review of an application to make sure a customer is eligible to receive a mortgage loan as taught by Dreyer (see paragraph 9).

26. As per claims 6 and 7, Vidali teaches the method of claim 1 as described above. Vidali does not explicitly teach comprising the step of interfacing said on-line service provider property conveyancing software applications with a plurality of back-end management software applications associated with a plurality of back-office service providers for automatically verifying the correctness of a property valuation, and in response thereto transmitting an image copy of related property valuation documentation to a predetermined location or mortgage lender.

Dreyer teaches comprising the step of interfacing said on-line service provider property conveyancing software applications with a plurality of back-end management software applications associated with a plurality of back-office service providers for automatically verifying the correctness of a property valuation, and in response thereto transmitting an image copy of related property valuation documentation to a predetermined location or mortgage lender (see paragraphs 8-10 and 117).

Therefore, it would be prima facie obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of Vidali and Dreyer to verify the correctness of a property valuation, and in response thereto transmit an image copy of

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related property valuation documentation to a predetermined location because it allows for manual review of a property valuation to make sure a customer is eligible to receive a mortgage loan for the value of the property as taught by Dreyer (see paragraph 9 and 10).

27. Claim 14 recites similar limitations to claim 4 and thus rejected using the same art and rationale in the rejection of claim 4 as set forth above.

28. Claim 15 recites similar limitations to claim 5 and thus rejected using the same art and rationale in the rejection of claim 5 as set forth above.

29. Claim 16 recites similar limitations to claim 6 and thus rejected using the same art and rationale in the rejection of claim 6 as set forth above.

30. Claim 17 recites similar limitations to claim 7 and thus rejected using the same art and rationale in the rejection of claim 7 as set forth above.

Conclusion

The Examiner has cited particular columns and line numbers in the references as applied to the claims for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid R. Merchant whose telephone number is 571-270-1360. The examiner can normally be reached on First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammel can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SRM


ELLA COLBERT
PRIMARY EXAMINER